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400 Colony Square, Suite
12001201 Peachtree Street
Atlanta, GA 30361

Telephone (404) 879-2150

Telefax (404) 879-2160

information@pabstpatent.com

www.pabstpatent.com

TELEFAX**Date:** October 17, 2004**Total pages:** 4 pages with fax
cover**To:** USPTO**Telephone:****Telefax:** 571-273-8300**From:** Patrea Pabst**Telephone:** 404-879-2151**Telefax:** 404-879-2160**Our Docket No.** FEM 104**Client/Matter No.** 077049/10**Your Docket No.**

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MESSAGE:**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant:** Gerianne Tringali DiPiano and Peter Kevin Mays**Serial No.:** 10/751,056**Art Unit:** 1617**Filed:** January 2, 2004**Examiner:** Jennifer M. Kim**For:** *PHARMACEUTICAL PREPARATIONS FOR TREATMENTS OF DISEASES
AND DISORDERS OF THE BREAST***Attachments:** Transmittal Form PTO/SB/21, Fee Transmittal Form PTO/SB/17, Information
Disclosure Statement

{45061244.1}

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PTO/SB/21 (09-04)


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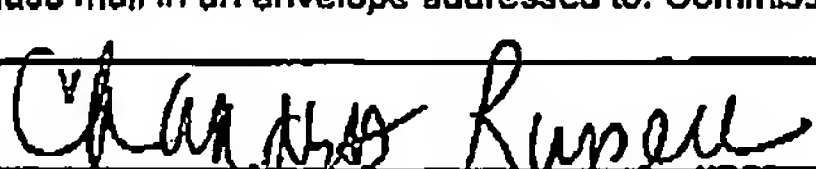
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| | | |
|---|------------------------|---------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/751,056 |
| | Filing Date | January 2, 2004 |
| | First Named Inventor | Gerianne Tringali DiPlano |
| | Art Unit | 1617 |
| | Examiner Name | Jennifer M. Klm |
| Total Number of Pages in This Submission | Attorney Docket Number | FEM 104 |

| ENCLOSURES (Check all that apply) | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|--|----------|--------|
| Firm Name | Pabst Patent Group LLP | | |
| Signature |  | | |
| Printed name | Patrea L. Pabst | | |
| Date | October 17, 2005 | Reg. No. | 31,284 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
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| Signature |  | | |
| Typed or printed name | Chandra Russell | Date | October 17, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEM 104 077049/10

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NO. 5747 P. 3

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| <p><small>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</small></p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3> | | <p>Complete if Known</p> | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Application Number | 10/751.056 |
| | | Filing Date | January 2, 2004 |
| | | First Named Inventor | Gerianne Tringali DiPiano |
| | | Examiner Name | Jennifer M. Kim |
| | | Art Unit | 1617 |
| <p>TOTAL AMOUNT OF PAYMENT (\$) 0.00</p> | | Attorney Docket No. | FEM 104 |

METHOD OF PAYMENT (check all that apply)

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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent | 50 | 25 |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

Total Claims - 20 or HP = 0 x = Multiple Dependent Claims Fee (\$): Fee Paid (\$):
HP = highest number of total claims paid for, if greater than 20

Indep. Claims - 3 or HP = 0 x =

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|---|--------------|--|----------|---------------|
| <u> </u> - 100 = <u> </u> / 50 = <u> </u> (round up to a whole number) x <u> </u> = <u> </u> | | | | |

4. OTHER FEE(S)

| Other | Fees Paid (\$) |
|---|----------------|
| Non-English Specification, \$130 fee (no small entity discount) | |
| Other: <u> </u> | |

| | | |
|--|---|---------------------------------|
| SUBMITTED BY | | |
| Signature <u> </u> | Registration No. (Attorney/Agent) <u>31,284</u> | Telephone <u>(404) 879-2151</u> |
| Name (Print/Type) <u>Patrea L. Pabst</u> | Date <u>October 17, 2005</u> | |

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FEM 104 077049/10

OCT 17 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gerianne Tringali DiPiano and Peter Kevin Mays

Serial No.: 10/751,056

Art Unit: 1617

Filed: January 2, 2004

Examiner: Kim, Jennifer M

For: *PHARMACEUTICAL PREPARATIONS FOR TREATMENTS OF DISEASES
AND DISORDERS OF THE BREAST*Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit a Supplemental Information Disclosure Statement, including (1) page of Form PTO-1449. Pursuant to the waiver in the notice entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003" published on August 5, 2003 in 1273 OG 55, copies of cited U.S Patents are not enclosed. Copies will be provided upon request, however.

This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) prior to a first Office Action on the merits. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-1329.

U.S.S.N.: 10/751,056
Filed: January 2, 2004
SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

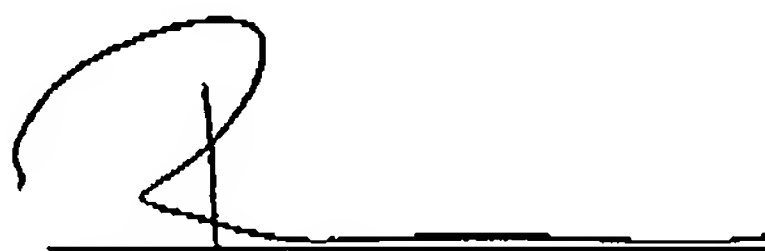
U.S. Patents

| <u>Number</u> | <u>Issue Date</u> | <u>Patentee</u> | <u>Class/Subclass</u> |
|---------------|-------------------|-----------------|-----------------------|
| 5,066,495 | 11-19-1991 | Moro, et al. | 424/451 |
| 6,482,448 | 11-19-2002 | Tabor | 424/451 |

Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,


Patrea L. Pabst
Reg. No. 31,284

Dated: October 17, 2005

PABST PATENT GROUP LLP
400 Colony Square, Suite 1200
1201 Peachtree Street
Atlanta, Georgia 30361
(404) 879-2151 (Telephone)
(404) 879-2160 (Fax)

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| Substitute for form 1449/APTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Application Number | 10/751,058 |
| | | Filing Date | January 2, 2004 |
| | | First Named Inventor | Gerianne Tringali DiPlano |
| | | Group Art Unit | 1617 |
| | | Examiner Name | Kim, Jennifer M |
| | | Attorney Docket Number | FEM 104 |
| Sheet | 1 | of | 1 |

[illegible][illegible]

| | | |
|----------------------|-----------------|--|
| Examiner's Signature | Date Considered | |
|----------------------|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

¹ Unique citation designation number ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant to place a check mark here if English language Translation is attached.

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